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Attorneys for Defendants
JOF ENTERPRISE, INC. and JAMES FINNEY

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

MONSTER ENERGY COMPANY,
a Delaware corporation,

Plaintiff,

v.

JOF ENTERPRISE INC., a
Massachusetts corporation; and
JAMES FINNEY, an individual,

Defendants.

Case No. 5:22-cv-01458-AB-SP

**STIPULATION TO MODIFY THE
PRETRIAL SCHEDULING
ORDER**

Hon. André Birotte, Jr.

1 Plaintiff Monster Energy Company (“Plaintiff” or “Monster”) and
 2 Defendants JOF Enterprise Inc. and James Finney (“Defendants”), by and
 3 through their undersigned counsel, hereby enter into this Stipulation To Modify
 4 The Pretrial Scheduling Order, pursuant to Local Rule 7-1, as follows:

5 WHEREAS, the Court previously entered a Schedule for pretrial and trial
 6 dates for this case;

7 WHEREAS, the parties are currently in negotiations for a possible
 8 settlement of all disputes between them;

9 WHEREAS, both these settlement discussions and discovery in this matter
 10 have been unavoidably delayed due to the serious illness of the individual
 11 defendant;

12 WHEREAS, the parties therefore require additional time to continue their
 13 settlement discussions and complete discovery in this case; and

14 WHEREAS, the parties currently believe that extending the deadlines will
 15 allow the parties sufficient time to pursue settlement and potential resolution of
 16 their disputes, and to complete discovery if settlement efforts are unsuccessful.

17 The parties hereby stipulate and move the Court to amend the Pretrial
 18 Scheduling Order to enable the parties additional time to pursue settlement and
 19 complete fact discovery. The parties request that the schedule be amended as
 20 follows:

Event	Date in Scheduling Order (Dkt. 32)	Proposed New Date
Non-Expert Discovery Cut-Off	5/5/2023	7/28/2023
Opening Expert Witness Disclosures	6/2/2023	8/25/2023

Event	Date in Scheduling Order (Dkt. 32)	Proposed New Date
Rebuttal Expert Witness Disclosures	6/30/2023	09/29/2023
Expert Discovery Cut-Off	7/28/2023	10/20/2023
Last Day to Hear Motions	8/25/2023	11/17/2023
Deadline to Complete Settlement Conference	9/8/2023	12/1/2023
Trial Filings (first round)	10/27/2023	1/19/2024
Trial Filings (second round)	11/3/2023	1/26/2024
Final Pre-Trial Conf.	11/17/2023	2/9/2024
Trial	12/5/2023	2/27/2024

THEREFORE, the parties respectfully request this Court adopt the proposed modification to the schedule for this case and extend dates in the current schedule as set forth in this stipulation.

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 12, 2023

By: /s/ Jacob R. Rosenbaum

Steven J. Nataupsky

Lynda J. Zadra-Symes

Paul A. Stewart

Jacob R. Rosenbaum

Attorneys for Plaintiff,
MONSTER ENERGY COMPANY

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THE RAPACKÉ LAW GROUP, P.A.

Dated: April 12, 2023

By: /s/ Philip Horton

Phillip Horton

Attorneys for Defendants
JOF ENTERPRISE, INC. and JAMES FINNEY

AUTHORIZATION FOR SIGNATURE

The other signatory to this document concurs in this filing and has authorized the use of his signature.

/s/ Jacob R. Rosenbaum

Jacob R. Rosenbaum

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